

KEVIN KERVENG TUNG, P.C.

Kevin K. Tung \*

Mingli Chen

Kun Zhao \*

Kenji Fukuda

Lixin Yang

Wei Sun

Lu He

Chunyang Zhang

Yuzhe Pan

*Attorneys at Law*

38-21 Main Street, Suite 3D

Flushing, New York 11354

(718) 939-4633

Facsimile (718) 939-4468

New Jersey Office

1744 Highway 27

Edison, New Jersey 08817

(732) 819-9222

Facsimile (732) 819-9122

Writer's E-Mail:

lhe@kktlawfirm.com

Reply To New York Office

\*Also Admitted In New Jersey

February 4, 2010

Via ECF & Fax @ 212-688-2548

Honorable Cheryl L. Pollak  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

RE: Widjaja et al. v. Kang Yue USA Corporation et al.  
Civil Action No.: 09-cv-02089-RRM-CLP

Dear Judge Pollak:

This letter is to respond to the claims D. Maimon Kirschenbaum has made in his letter dated on January 29, 2010 and addressed to Judge Pollak in connection with the above mentioned matter.

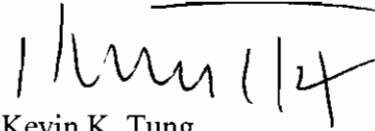
As to Plaintiff's request for additional documents regarding payroll, tip distribution and scheduling for Plaintiffs, Ernie Ng, Min Joongkin Kim and Ampri Gunardi, we have conveyed the request for documents to our clients as soon as we were notified. Because of the holidays, the Defendants were busy with their business and they had to contact accountant to locate the documents requested. In any event, the Defendants have found some additional documents, which will be forwarded to Plaintiff's counsel as soon as we receive them.

As to the Notice of Deposition Plaintiff's attorney originally scheduled on December 28, 2009, we have responded and in our responding letter, we have clearly said that the rescheduling of the deposition was necessary because I was out of New York on the tentative date and we proposed a different deposition date on January 4, 2010. However, we did not hear any response from the Plaintiff's attorney in regards to the rescheduling of the deposition thereafter.

Based on our phone conversation with Defendant Johnson Chen, Mr. Chen denied that he has made any threats to Plaintiff Victor Utawa.

Should you have any question, please contact the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. Tung' with a stylized flourish at the end.

Kevin K. Tung